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*Attorney for Defendant*

*Lowe's Home Centers, LLC*

UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA

MAURICE MOREHEAD, AND SHERYL  
MOREHEAD,

Plaintiffs,

vs.

LOWE'S HOME CENTERS, LLC, DOES I  
THROUGH 20; AND ROE BUSINESS  
ENTITIES 1-20, INCLUSIVE,

Defendants.

Case No.: 2:18-cv-01074-RFB-EJY

**STIPULATION AND ORDER TO  
EXTEND DEADLINE TO FILE JOINT  
PRETRIAL MEMORANDUM**

Pursuant to Fed R. Civ. P. 6, Fed. R. Civ. P. 26, LR IA 6-1, LR IA 6-2, LR 7-1, and LR 26-4, the parties stipulate and agree that there is good cause to extend the deadline to file a proposed joint pretrial memorandum as set forth below.

**1. Pursuant to LR 26-4(a), the parties stipulate that the following discovery was completed:**

- The parties served initial and supplemental disclosures pursuant to Rule 26(a)(1).
- Lowe's Home Centers, LLC ("Lowes") responded to written discovery served by Plaintiffs.
- Plaintiff Maurice Morehead responded to written discovery served by Lowes.

- Lowes served about 66 subpoenas to obtain records from Mr. Morehead's prior and current medical providers and his prior employers.
- Maurice Morehead underwent a Rule 35 examination with a neuropsychologist and a neurosurgeon.
- The parties designated initial and rebuttal experts.
- Plaintiffs completed the depositions of Charlotte Leslie, Stacie Ford, Michael White, Alnisha Grimes/Bloyer
- Lowes completed the depositions of Maurice Morehead, Sheryl Morehead, Dr. Gregory Douds, Dr. Craig T. Tingey, Dr. Daniel Kokmeyer, Dr. Stuart Kaplan, Dr. Eric Biesbroeck, M.D., Dr. Jeffrey Gross

**2. Pursuant to LR 26-4(b), the parties stipulate that they need to complete the following discovery:**

None

**3. Pursuant to LR 26-4(c), the parties stipulate an extension is needed for the following reasons:**

This is a personal injury action in which Plaintiff Maurice Morehead is claiming over \$400,000 in past medical specials and over \$1.1 million in future medical expenses (present value). Mr. Morehead claims injuries to his hand, knee, cervical spine, lumbar spine, head, and brain. He has undergone surgeries on the hand, knee, and lumbar spine and claims permanent cognitive deficits. Discovery is closed in the present matter.

The parties submitted their proposed Joint Pretrial Memorandum to this court on May 14, 2021.

On December 21, 2021, the parties agreed to attend mediation in a good-faith attempt to resolve the present matter before trial. The parties scheduled the mediation to take place March 28, 2022, which will be presided over by Hon. Trevor Aitken (Ret.).

On January 19, 2022, the parties' proposed Joint Pretrial Memorandum was denied without the prejudice, and the parties were instructed to file a new proposed Joint Pretrial Memorandum by February 21, 2022, with suggested trial dates starting from ~~June~~ November, 2022.

1 This constitutes good cause to extend the deadline to complete the joint pre-trial order.  
2 The parties hope to achieve resolution at the scheduled mediation, which would preclude the  
3 need to submit the Joint Pretrial Memorandum and the Court to subsequently issue a trial  
4 scheduling order. Similarly, should the parties be successful at mediation, this would also  
5 preclude the need for either party preclude to prepare motions in limine. In the event that the  
6 parties are unsuccessful at mediation on March 28, 2022, the additional time would allow the  
7 parties to reconfirm their respective trial availability for the remainder of the year, and then  
8 resubmit the proposed Joint Pretrial Memorandum.

9 The parties can also demonstrate excusable neglect for the timing of this submission.  
10 While aware of the need to extend discovery to complete the joint pre-trial order, the parties  
11 delayed submitting this stipulation until counsel was available to confirm with one another  
12 that their respective schedules would likely only allow for mutually available dates to begin  
13 trial during the fourth quarter of 2022.

14 This extension is made in good faith and will not unreasonably delay the resolution of  
15 this action. The extension is also necessary to allow the parties to complete the requisite joint  
16 pre-trial order that precedes the start of trial.

17 When proposing these new deadlines, the parties have taken into consideration their  
18 availability, and the time necessary to produce a joint pre-trial order. This is also a civil action  
19 with a jury demand and the parties presently expect a trial will last three weeks due to the  
20 number of witnesses and the current triable issues. The parties do not believe that the  
21 requested extension will impact bringing this matter to trial in a timely manner.

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4. Pursuant to LR 26-4(d), the parties stipulate to the following proposed schedule for completing all remaining discovery: May 23, 2022.

1. Extend the date to file the Joint Pre-Trial Order from 2/21/2022 to ~~4/11/2022~~.
2. Fed. R. Civ. P. 26(a)(3) Disclosures and objections must be included in the Joint Pre-Trial Order.

Dated: March 8, 2022.

HALL JAFFE & CLAYTON, LLP

By: /s/ Jonathan A. Rich  
Steven T. Jaffe, Esq.  
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Kevin S. Smith, Esq.  
Nevada Bar No. 7134  
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*Attorney for Lowe's Home Centers, LLC*

Dated: March 8, 2022.

STUCKI INJURY LAW

By: /s/ Kyle A. Stucki  
Kyle A. Stucki, Esq.  
Nevada Bar No. 12646  
1980 Festival Plaza Dr., Ste. 300  
Las Vegas, Nevada 89135  
*Attorneys for Maurice Morehead & Sheryl Morehead*

**ORDER**

IT IS SO ORDERED.

  
**RICHARD E. BOULWARE, II**  
**United States District Court**

DATED this 9th day of May, 2022.

**Claudia Morrill**

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**From:** Kyle Stucki, Esq., MBA <kyle@stuckiinjurylaw.com>  
**Sent:** Tuesday, March 8, 2022 3:56 PM  
**To:** Jonathan A. Rich  
**Cc:** Justin Teal; Steve Jaffe; Kevin Smith; Erika Parker; Claudia Morrill  
**Subject:** Re: Activity in Case 2:18-cv-01074-RFB-EJY Morehead et al v. Lowes Home Centers, LLC  
Order on Joint Pretrial Order  
**Attachments:** SAO to Extend Deadline for Joint Pretrial Memorandum.pdf

I'm sorry Jonathan. This looks good on my end.



Kyle Stucki, Esq., MBA  
**Trial Attorney** Stucki Injury Law

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On Feb 25, 2022, at 4:49 PM, Jonathan A. Rich <JRich@lawhjc.com> wrote:

Kyle,

I hope your week is going well. I just wanted to quickly follow up with you again and see if you may have had a chance to look at the proposed SAO to Extend Deadline for Joint Pretrial Memorandum.

Please advise when you have a chance.

Respectfully,

Jonathan A. Rich, Esq.  
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